

Judicial Administration Committee
Judicial Conference of Indiana

Minutes
February 11, 2005

The Judicial Administration Committee of the Judicial Conference of Indiana met at the Indiana Judicial Center on Friday, February 11, 2005 from 10:00 a.m. – 3:00 p.m.

1. Members present. Thomas P. Boyer, Edward A. Campbell, Daniel F. Donahue, Michael A. Shurn, P. Thomas Snow, David L. Welch, Mary G. Willis, and Judith S. Proffitt, Chair.
2. Staff present. Jeffrey Bercovitz and Adrienne Henning provided the committee with staff assistance.
3. Minutes approved. The minutes for the committee on January 14, 2005 were approved.
4. Weighted caseload. Jeffrey Bercovitz distributed a request from Judge Hawkins, Marion Superior Court asking whether the committee would be looking at the times for “major felonies” soon under the weighted caseload measures project. Judge Hawkins indicated Marion County was considering doing a review. Adrienne Henning noted the way indicated various case types were different than other states. Some states counted dissolutions different if children were involved. Committee members agreed to distribute Adrienne’s materials before the next meeting. In addition, they agreed by consensus to contact Judge Hawkins and tell him the committee expected to take all of 2005 to complete their present project. Marion County should not delay an internal effort to study “major felonies” under weighted caseload. Committee members agreed to revisit the idea of a new weighted caseload study of categories, either studied in 1996 and 2002, at the end of the pro se benchbook project.
5. Benchbook for judges to manage pro se litigation.
 - a. Jeffrey Bercovitz distributed binders to hold all drafts previously prepared.
 - b. Judge Donahue distributed materials from Massachusetts on self-represented litigants.
 - c. Committee members completed revisions to the Domestic Relations section.
 - d. Members of the committee completed review and combined the draft sections on Appointment of Pauper Counsel and Dialogue to determine pauper status.
 - e. Committee members prepared a section on forms for pro se litigants contained on the Supreme Court’s Self-Service Website. [<http://www.in.gov/judiciary/selfservice/>]
 - f. Judge Shurn agreed to revise the paternity and probate section previously submitted.
 - g. Judge Welch agreed to prepare the lost title section and revise the adoption section previously submitted. In addition, he indicated the Probate Deskbook had some direction to courts on the handling of pro se litigants.
 - h. Jeff Bercovitz agreed to get a list of telephone numbers including each DOC facility to permit courts to set up telephonic conferences with inmates for various civil proceedings.
 - i. Magistrate Boyer agreed to review the Civil Benchbook on contempt and draft the appropriate section on contempt for this benchbook.

- j. Judge Snow and Judge Donahue reviewed their tasks for the next meeting of the committee.
- 6. Next meeting dates. The committee agreed to hold future meetings on the following dates: March 11, April 8, May 13, June 10, July 8, August 12, and October 14, 2005, from 10:00 a.m. - 4:00 p.m. at the Indiana Judicial Center. There will be no November 11 meeting.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law

The following are assignments for committee members:

Completed 8/13/04 Introduction/General considerations

J. Proffitt

Civil

Completed 2/11/05(1) Domestic Relations

J. Eldred and J. Willis

Initial dissolution, post-dissolution matters,
letters and third-party correspondence, Final hearing, custody,
change of residence, parenting time, other

(2) Small claims

J. Love

(3) Mortgage foreclosure/debt collection

J. Horn

(4) Mental Health

Family member seeking guardianships – pro se

J. Snow

Ins. Co. sets up guardianship for minor settlement

J. Snow

Civil commitments generally

J. Donahue

Drafted 10/7/04(5) Paternity, probate

J. Shurn

(6) General civil

Completed 2/11/05 Refer to forms on Self-Service Website

Committee

Completed 2/11/05 Appt. of Pauper Counsel and Dialogue

Mag. Boyer

BMV – lost title, hardship license

J. Welch

Drafted 2/11/05 Adoption – recent past records inquiries, genealogy

J. Welch

Criminal

(1) Misdemeanor, D Felony pro se representation

J. Fleece

Pro se jury trial, dialogues, other

(2) Prisoner/Inmate litigation J. Murray, J. Pratt, LaPorte Co. rep.

Inmate as civil litigant – visitation, tort claims;

name changes, paternity, dissolution; Criminal claims

– PCR's, credit time, modification, expungement; civil rights claims,

extradition requests

(3) Clerk chapter

J. Proffitt

Assignments to be completed in the same style as Idaho guideline.